

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DAVID JOHN TEECE,

Plaintiff,

v.

KUWAIT FINANCE HOUSE (BAHRAIN)
B.S.C., ABDULHAKEEM AL-KHAYYAT,
ADNAN MALIK, and PAUL MERCER,

Defendants.

Case No.: 3:13-CV-03603-WHA

~~PROPOSED~~ ORDER APPROVING
SUPERSEDEAS BOND PURSUANT TO
RULE 62 OF THE FEDERAL RULES
OF CIVIL PROCEDURE

~~PROPOSED~~ ORDER APPROVING SUPERSEDEAS BOND
PURSUANT TO RULE 62 OF THE FEDERAL RULES OF CIVIL
PROCEDURE

CASE NO.: 3:13-CV-03603-WHA

1 On July 10, 2014, the Court entered the Order Granting Attorney's Fees and Costs in the above-
2 captioned action against Plaintiff David John Teece in the amount of \$233,111.54 (Dkt. No. 80). On
3 July 25, 2014, Plaintiff filed a notice of appeal from this Order (Dkt. No. 81). Pursuant to Rule 62 of the
4 Federal Rules of Civil Procedure, Plaintiff has obtained a valid supersedeas bond (attached hereto as
5 Exhibit A) in the amount of \$349,667.31, equaling 150% of the total amount of the Order. Thus, the
6 bond is sufficient to ensure that Plaintiff's obligations to Defendants under the Order will be met if his
7 appeal of the Order is not successful.

8
9 Accordingly, it is **HEREBY ORDERED** that the signed supersedeas bond of the Plaintiff is
10 approved. The Clerk is directed to enter the supersedeas bond as attached.

11 It is **HEREBY FURTHER ORDERED** that execution of the Order is stayed pending appeal.
12

13 Dated: August 1, 2014

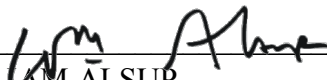
14 
15 WILLIAM ALSUP
16 UNITED STATES DISTRICT JUDGE
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EXHIBIT A

American Contractors Indemnity Company

THE UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA

DAVID JOHN TEECE,

Plaintiff,

v.

KUWAIT FINANCE HOUSE (BAHRAIN) B.S.C.,
ABDULHAKEEM AL-KHAYYAT, ADNAN MALIK, and PAUL
MERCER,

Defendants.

No. C 13-03603 WHA

UNDERTAKING FOR APPEAL

WHEREAS, the named DAVID JOHN TEECE desire(s)
to give undertaking for an APPEAL
as provided by Rule 62 of the Federal Rules of Civil Procedure.

NOW, THEREFORE, the undersigned surety, does hereby obligate itself, jointly and severally to KUWAIT FINANCE
HOUSE (BAHRAIN) B.S.C., ABDULHAKEEM AL-KHAYYAT, ADNAN MALIK, and PAUL MERCER,

under said statutory obligations in the sum of THREE HUNDRED FORTY NINE THOUSAND SIX HUNDRED SIXTY
SEVEN DOLLARS & 31/100 CENTS Dollars (\$ 349,667.31).

IT IS FURTHER AGREED by the Surety, that in case of default or contumacy on the part of the Surety, the Court may, upon
notice to it of not less than ten days, proceed summarily and render judgment against it in accordance with their obligation
and award execution thereon.

Signed, sealed and dated this 25TH day of JULY, 2014.

BOND NO. 1001003795

PREMIUM: \$ 3,996.67

BY: 
TRISHA B. LOCKE-ZAMORA Attorney-in-fact

American Contractors Indemnity Company
601 S. Figueroa, Suite 1600
Los Angeles, CA 90017
310-649-0990

POWER OF ATTORNEY

AMERICAN CONTRACTORS INDEMNITY COMPANY UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:

Kevin Comstock or Trisha B. Locke-Zamora of San Jose, California

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver **any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed** *****Three Million***** **Dollars (\$ **3,000,000.00**).**

This Power of Attorney shall expire without further action on November 3, 2015. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 16th day of April, 2014.

AMERICAN CONTRACTORS INDEMNITY COMPANY UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

Corporate Seals



By:

Daniel P. Aguilar, Vice President

State of California

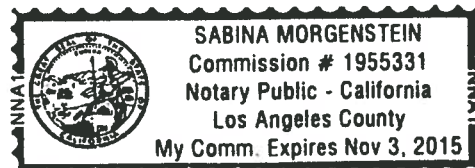
County of Los Angeles SS:

On this 16th day of April, 2014, before me, Sabina Morgenstein, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature

(Seal)



I, Michael Chalekson, Assistant Secretary of American Contractors Indemnity Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this 25th day of July, 2014.

Corporate Seals

Bond No. 1001003795Agency No. 11535

Michael Chalekson, Assistant Secretary